THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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W.P.No.27888 of 2005

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Date:30.12.2005

M.Muralidhar.

----------Petitioner

The Andhra Pradesh State Road Transport Corporation and another.

----------Respondents

ORDER:

The petitioner was issued a charge sheet in the year 1989 alleging that he was unauthorisedly absent from duty for certain period. He submitted his explanation thereto. On a consideration of the same, the 2nd respondent passed an order, dated 10.07.1989, imposing the penalty of stoppage of annual increment for a period of one year with cumulative effect. The petitioner challenges the same on several grounds.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It is true that the 2nd respondent imposed a major penalty of stoppage of one increment with cumulative effect, without conducting departmental enquiry. In several matters, this Court followed the Judgment of the Supreme Court in ***KULWANTH SINGH GILL v. STATE OF PUNJAB*** and granted the relief. However, the relief was restricted to only those cases, in which the punishment was imposed subsequent to 31.10.1990. In the instant case, the impugned order was passed earlier thereto i.e., on 10.07.1989. Therefore, this Court is not in a position to grant any relief to the petitioner.

Hence, the Writ Petition is dismissed. There shall be no order as to costs.

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30.12.2005

Jsu